

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON DIVISION

Ceferina Gayo Hess,  
Plaintiff,  
vs.  
Lander University, et al.,  
Defendant.

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Civil Action No. 8:06-3651-GRA-WMC  
**REPORT OF MAGISTRATE JUDGE**

This matter is before the court on motion of the plaintiff, proceeding *pro se*, to dismiss. In her complaint filed initially in state court and removed to federal court on December 28, 2006, the plaintiff asserted ten causes of action against the defendants regarding her employment as a professor at Lander University (“Lander”) and her discharge from Lander.

Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(A) and Local Civil Rule 73.02)(B)(2)(e) D.S.C., all pretrial matters in cases involving *pro se* litigants are referred to a United States Magistrate Judge for consideration.

On January 25, 2007, the plaintiff filed a motion to dismiss this case on the ground that “it is no longer under the jurisdiction of this Court” based upon her appeal in Civil Action No. 8:04-1474-GRA-WMC filed January 17, 2007, and now pending before the United States Supreme Court. On January 29, 2007, the defendants responded to the plaintiff’s motion, stating that while they “do not agree that the filing of a petition for writ of certiorari” in the prior case deprives this court of jurisdiction on this case, they do not oppose the plaintiff’s motion to dismiss.

Wherefore, it is recommended that the plaintiff's motion to dismiss be granted.

January 30, 2007

Greenville, South Carolina

  
WILLIAM M. CATOE  
UNITED STATES MAGISTRATE JUDGE